

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**ANASTACIO B. PALAFOX,
#N-33550,**

Plaintiff,

vs.

**WILLIAM A. SPILLER,
KENT E. BROOKMAN,
TERRANCE T. JACKSON,
KIMBERLY S. BUTLER,
JOHN DOE 1, and
JOHN DOE 2,**

Defendants.

Case No. 18-CV-1155-NJR

NOTICE OF IMPENDING DISMISSAL

ROSENSTENGEL, District Judge:

On May 24, 2018, Plaintiff Anastacio B. Palafox, an inmate of the Illinois Department of Corrections (“IDOC”), filed this action pursuant to 42 U.S.C. § 1983. On the same day, the Clerk of Court sent Plaintiff a letter (Doc. 4), advising him, in pertinent part, as follows:

Finally, you are advised that you have a continuing obligation to keep this office informed of any change in your address. The Court will not independently investigate your whereabouts. You must notify the Court in writing of your new address within 7 days after a transfer or other change in address occurs. Failure to do so may result in dismissal of this action for want of prosecution.

(Doc. 4).

On June 19, 2018, the Court screened the Complaint pursuant to 28 U.S.C. § 1915A. (Doc. 6). The Complaint did not survive preliminary review, and Plaintiff was directed to file an amended complaint on or before July 18, 2018. (Doc. 6). The Dismissal Order warned Plaintiff that failure to comply would result in dismissal with prejudice for failure to comply with a court order and/or for failure to prosecute his claims. (Doc. 6, p. 10).

The Dismissal Order was transmitted to Plaintiff at Western, using the Court's electronic filing program. *See* General Order No. 15-05. Additionally, a blank civil rights form was mailed to Plaintiff at the address on file with the Clerk's Office in this action: WESTERN ILLINOIS CORRECTIONAL CENTER 2500 Route 99 South, Mount Sterling, IL 62353. On July 2, 2018, the blank civil rights form was returned to this Court as undeliverable, indicating that Plaintiff had been discharged. (Doc. 7). Further, a review of the IDOC's website reveals that Plaintiff was paroled on June 26, 2018. Plaintiff, however, has not submitted a change of address to the Court. In addition, Plaintiff has missed the deadline for filing an amended complaint, and he has not requested an extension.

Plaintiff is **REMINDED** that he is under a continuing obligation to keep the Clerk of Court informed of any change in his location. Pursuant to Southern District of Illinois Local Rule 3.1(b), notification to the Court of any address change shall be made in writing no later than 7 days after a change in address occurs. It is not the Court's responsibility to independently investigate the current address for any party to a pending action.

Plaintiff is **THEREFORE ORDERED** to provide the Court with his current address within 21 days of the date of entry of this Order (on or before **August 16, 2018**).

Plaintiff is **FURTHER ORDERED** to provide the Court with an amended complaint within 21 days of the date of entry of this Order (on or before **August 16, 2018**).

Failure to comply with this Order will result in dismissal of this action with prejudice for want of prosecution, under Federal Rule of Civil Procedure 41(b). *See generally Ladien v. Astrachan*, 128 F.3d 1051 (7th Cir. 1997); *Johnson v. Kamminga*, 34 F.3d 466 (7th Cir. 1994); 28 U.S.C. § 1915(e)(2). Such dismissal shall count as one of Plaintiff's three allotted "strikes"

within the meaning of 28 U.S.C. § 1915(g) because he has yet to state a claim upon which relief may be granted.

IT IS SO ORDERED.

DATED: July 26, 2018

A handwritten signature in black ink, reading "Nancy J. Rosenstengel". The signature is written in a cursive style. A faint, circular official seal is visible in the background behind the signature.

NANCY J. ROSENSTENGEL
United States District Judge